



August 24, 2016

Document Control Office (7407M)
Office of Pollution Prevention and Toxics (OPPT)
Environmental Protection Agency
1200 Pennsylvania Ave. NW.
Washington, DC 20460-0001

Re: Docket ID Number EPA-HQ-OPPT-2016-0401; Fees for the Administration of the Toxic Substances Control Act

The Consumer Specialty Products Association¹ offers the following comments on Fees for the Administration of the Toxic Substances Control Act in response to a notice of public comment issued by the Environmental Protection Agency (EPA) to obtain input into the Agency's development of processes as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act (LCSEA) published in the July 26, 2016 Federal Register (81 Fed. Reg. 48789). CSPA supported the bipartisan effort Congress made to amend and update this Act and CSPA remains committed in assisting the EPA as this moves into the regulatory realm. In that vein, it is our hope that EPA will give our comments full consideration as the Agency continues to develop an effective and balanced approach for collection of fees to offset the administrative costs of the implementation.

I. Introduction

CSPA is committed to ensuring that the modernized TCSA succeeds and supports the Agency in its effort of administering the Act. First and foremost, we feel the fee process should as simple as possible to minimize the overhead of collecting fee deemed necessary to collect. Secondly, manufacturers currently and would likely continue to pass costs directly to their supply chain but there needs to be safeguards in the system to avoid excluding uses by involving relevant processors or distributors in the process. There also may be opportunities for formation of consortia around specific chemicals or uses to ensure appropriate cost-sharing among interested parties. Third, we feel the process should be

¹ CSPA is the premier trade association representing the interests of companies engaged in the manufacture, formulation, distribution and sale of more than \$100 billion annually in the U.S. of familiar consumer products that help household and institutional customers create cleaner and healthier environments. CSPA member companies employ hundreds of thousands of people globally. Products CSPA represents include disinfectants that kill germs in homes, hospitals and restaurants; air fresheners, room deodorizers and candles that eliminate odors; pest management products for home, lawn and garden, and pets; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day. Through its product stewardship program, Product Care®, and scientific and business-to-business endeavors, CSPA provides its members a platform to effectively address issues regarding the health, safety and sustainability of their products.

transparent so that manufacturers and processors can clearly understand the impact of fee allocations. Lastly, we suggest that EPA ensure an appropriate balance of fees between new chemicals and existing chemicals so as not to unduly impede American innovation. The new law gives EPA the opportunity to correct the historical “new chemical bias” in financial as well as regulatory terms.

II. Discussion of Fees

In general, CSPA does not support assessing substantial fees for Section 4 activities as companies must already bear the cost of testing required by EPA under these provisions. CSPA would support the collection of small administrative fees for EPA to evaluate collected testing information.

CSPA supports increasing PMN fees while striking a balance so as to not discourage innovation. CSPA supports maintaining a reduced fee for small business manufacturers. CSPA also supports a gradual increase in the fees over time to minimize the impact upon businesses.

CSPA supports the collection of fees for administering risk evaluations under Section 6. It is critically important that the fee structure be adaptive and scalable. It is imperative that EPA understand the level of complexity of a chemical identified for risk evaluation before assessing fees. CSPA recommends that the fees be determined at the problem formulation step of the risk evaluation to ensure that the scale and scope of an evaluation as well as all impacted uses are understood. Processors are especially concerned about uses of their chemicals being removed from the marketplace without an opportunity to support those uses.

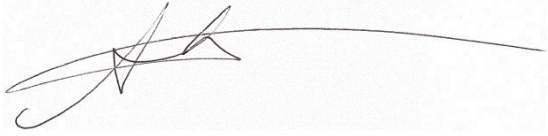
III. Conclusion

In conclusion, CSPA is committed to assisting the EPA as this landmark Act moves from the legislative arena into the regulatory process. We also look forward to participating in any upcoming EPA-Industry consultations. CSPA is pleased to provide input and thanks the EPA for taking these comments into consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "T. Brown", is positioned above the printed name.

Timothy A. Brown
Regulatory Counsel
Consumer Specialty Products Association

A handwritten signature in dark ink, featuring a stylized 'S' and 'B' followed by a long horizontal flourish.

Steven Bennett, Ph.D.
Senior Director, Scientific Affairs and Sustainability
Consumer Specialty Products Association